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3
4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 DEON M. KILES,

8 Plaintiff(s),

Case No. 2:17-CV-1695 JCM (CWH)

ORDER

9 v.

10 TEGAN MACHNICH, et al.,

11 Defendant(s).

12
13 Presently before the court is Magistrate Judge Hoffman's report and recommendation
14 ("R&R"). (ECF No. 4). No objections have been filed, and the deadline for filing objections has
15 since passed.

16 **I. Facts**

17 On June 16, 2017, plaintiff filed its complaint along with an application to proceed *in forma*
18 *pauperis*. (ECF No. 1). On June 23, 2017, Magistrate Judge Hoffman denied plaintiff's request
19 to proceed *in forma pauperis* and gave plaintiff thirty days to either file a renewed application to
20 proceed *in forma pauperis* or to pay the filing fee. (ECF No. 3). Plaintiff did not pay the filing
21 fee or submit a renewed application. On July 27, 2017, Magistrate Judge Hoffman issued the
22 instant R&R. (ECF No. 4).

23 **II. Legal Standard**

24 This court "may accept, reject, or modify, in whole or in part, the findings or
25 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects
26 to a magistrate judge's report and recommendation, then the court is required to "make a de novo
27 determination of those portions of the [report and recommendation] to which objection is made."
28 28 U.S.C. § 636(b)(1).

Where a party fails to object, however, the court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review employed by the district court when reviewing a report and recommendation to which no objections were made).

Nevertheless, this court conducted a *de novo* review to determine whether to adopt the recommendation of the magistrate judge. Upon reviewing the recommendation, the court finds that good cause appears to ADOPT the magistrate judge's findings.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge Hoffman's report and recommendation (ECF No. 4), be, and the same hereby is, ADOPTED in its entirety.

IT IS FURTHER ORDERED that the instant case be, and the same hereby is, DISMISSED without prejudice.

The clerk shall enter judgment accordingly and close the case.

DATED August 29, 2017.

James C. Mahan
UNITED STATES DISTRICT JUDGE